REMARKS

Claims 1-36 are all the claims presently pending in this application. Claims 1-3, 7, 9, 10, 12-15, 22, 23, and 29 have been amended to more particularly define the claimed invention. No new matter has been added.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Entry of this § 1.116 Amendment is proper. Since the Amendments above narrow the issues for appeal and since such features and their distinctions over the prior art of record were discussed earlier, such amendments do not raise a new issue requiring a further search and/or consideration by the Examiner. As such, entry of this Amendment is believed proper and Applicant earnestly solicits entry.

Claims 1-3, 7, 9, 10, 16, and 24 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Weber et al. (U.S. Patent No. 5,572,651) in view of Montlick (U.S. Patent No. 5,561,446). Claims 4-6, 8, and 11 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Weber in view of Montlick, and further in view of Gourdol (U.S. Patent No. 5,583,946). Claims 12, 13, and 15 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Weber in view of Montlick, and further in view of Mori (U.S. Patent No. 6,098,084). Claim 14 stands rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Weber, Montlick, and Gourdol, and further in view of Mori. Claims 18, 22, 23, 27 and 30 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Weber in view of Montlick, and further in view of Igarashi et al. (Applicant's Cited Prior Art). Claims 20 and 21 stand rejected

under 35 U.S.C. §103(a) as being allegedly unpatentable over Weber in view of Montlick, and further in view of Fenster et al. (U.S. Patent No. 5,454,371). Claim 25 stands rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Weber in view of Montlick, and further in view of Tanaka (U.S. Patent No. 5,249,296). Claims 17, 19, 26, 28, and 29 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Weber in view of Montlick, and further in view of the Applicant's Admitted Prior Art (Application at page 22, line 28 to page 23, line 2, hereinafter "AAPA"). Claims 31-34 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Weber in view of Montlick, and further in view of Frasca, Jr. (U.S. Patent No. 6,055,506). Claims 35 and 36 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Weber in view of Montlick in view of AAPA and further in view of Frasca, Jr.

These rejections are respectfully traversed in view of the following discussion.

I. THE CLAIMED INVENTION

An exemplary aspect of the claimed invention (e.g., as recited in claim 1) is directed to an application method for supporting a medical treatment system, the system including an input/display device including input means and display means, and a storage. The method includes the input/display device receiving input stroke information by handwriting, determining whether an identifier has been received in the input stroke information, storing data in the storage substantially all as medical data, the input means moving in a sliding manner on a sheet label displayed at a particular position on a screen by the display means, and the input/display device reading, when the input means moves onto the sheet label, data stored in the storage in relation to the sheet label from the storage, and displaying the data by conducting a change-over operation for the sheet label. The identifier includes a data identifier that identifies stored data corresponding to an intra-identifier code.

The conventional methods of supporting a medical treatment system are very technologically diverse. Written notes allow the operator to store thoughts, impressions, and diagnoses in a medium which is flexible to power requirements and is extremely mobile. Notes can also be taken electronically and stored in a central location. There are significant problems with each medium of medical treatment system. Notes that are written on paper are subject to several drawbacks, which include lack of organization, misplacement, incorrect filing, faulty handwriting character determination, and easy destructability. Electronic notes are often taken through the utilization of a pen device with an electronic tablet. The operator that takes electronic notes in this conventional method experiences an interruption in thought due to the necessity of operating various menus and buttons which enable the taking of electronic notes. The conventional electronic medical treatment support system method also interrupts the thinking of the operator, especially when forced to think about operating the system instead of diagnosing the patient. Conventional methods also utilize systems in which the display and input are apart, causing a necessity to constantly and alternately refer to both the input device and display device instead of focusing on the diagnosis. Electronic methods do not use independent devices and need the addition of certain input elements to make the conventional medical treatment system method complete (Application at pages 1-5).

On the other hand, the aforementioned exemplary aspect of the claimed invention includes an application method for supporting a medical treatment system, the system including an input/display device including input means and display means, and a storage, the method including determining whether an identifier has been received in the input stroke information (Application at page 18, line 17 to page 19, line 2). This feature may provide an application method for supporting a medical treatment system that enables the operator to enter handwritten strokes without using a button or a menu, in which the medical treatment system determines the meaning or relevance of the handwritten

strokes and performs actions related to the meaning or relevance of the handwritten stroked after the determination (Application at page 32, lines 2-10).

II. THE PRIOR ART REJECTIONS

A. The Alleged Weber and Montlick Combination

Weber discloses a user-interactive method for use in a processor controlled machine (Weber at Abstract). Montlick discloses a method and system for wireless remote information retrieval and pen-based data entry (Montlick at Abstract). The Examiner alleges that the combination of Weber and Montlick makes the claimed invention obvious.

However, even assuming (arguendo) the one of ordinary skill in the art would combine Weber and Montlick, the resultant combination still fails to teach or suggest the claimed invention. Specifically, the alleged combination fails to teach or suggest an application method for supporting a medical treatment system, the system comprising an input/display device including input means and display means, and a storage, the method including "*determining whether an identifier has been received in the input stroke information*", as recited, for example, in claim 1 (Application at page 18, line 17 to page 19, line 2).

As previously mentioned, this exemplary feature may provide an application method for supporting a medical treatment system that enables the operator to enter handwritten strokes without using a button or a menu, in which the medical treatment system determines the meaning or relevance of the handwritten strokes and performs actions related to the meaning or relevance of the handwritten stroked after the determination (Application at page 32, lines 2-10).

The Examiner alleges that Weber teaches "determining whether an identifier (Fig. 4, elements 84, 88, and 92; called a 'key identifier') has been received in said input stroke information (Fig. 3, element 50; col. 12, line 54 – col. 13, line 2)" (Office Action at page 4, point 3).

However, Weber fails to teach or suggest the identifier of the claimed invention. The claimed invention includes an identifier that is specified in input stroke information and is determined to be an identifier by the medical treatment support system (Application at page 18, line 17 to page 19, line 2). Input strokes in identifier information are stored after the determination (Application at page 20, line 30 to page 21, line 1).

The claimed invention – in stark contrast to Weber – makes a determination and recognization of words formed from input stroke information as identifiers. For example, the user would input a word such as "medicine" or "medicine indication output". The determination would then be whether that word provided by input stroke information was an identifier or was not an identifier. If it was not an identifier, it would be saved as an identifier for future reference (Application at page 18, line 17 to page 19, line 2 and page 23, line 23 to page 24, line 3).

Weber clearly fails to teach or suggest such a determination as included in the claimed invention. In fact, Weber teaches that input data is not recognized or interpreted information (Weber at Abstract). Weber actually teaches that special "key identifiers", i.e. stars, circles, etc., are input by the user in order to identify specific input stroke information already previously entered (see Weber at Figures 3-26).

Thus, the user in Weber actually does the determination of passages and words by inputting "key identifiers" such as lines, circles, and stars that reference input stroke information previously entered by the user. The device in Weber then recognizes the "key identifier" instead of the passages and words previously input as input stroke information. This difference can be clearly seen by one of ordinary skill in the art.

The Examiner does not allege that Montlick teaches or suggests any features with respect to the determination of identifiers or the receiving of input stroke information. The Examiner alleges that Montlick teaches a pen based input data entry system for storing substantially all medical data at

column 4, line 66 to column 5, line 2 (Office Action at page 5, first full paragraph). Regardless, Montlick clearly fails to teach or suggest an application method for supporting a medical treatment system including determining whether an identifier has been received in the input stroke information.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection.

B. The Gourdol Reference

To make up for the deficiencies of the alleged Weber and Montlick combination, the Examiner applies Gourdol. Gourdol discloses a method and apparatus for recognizing a gesture input on a display screen of a computer system (Gourdol at Abstract). The Examiner alleges that the combination of Gourdol and the alleged Weber and Montlick combination teaches the invention of claims 4-6, 8 and 11 and teaches features of the invention of claim 14.

However, Gourdol fails, even assuming (arguendo) combination with Weber and Montlick, to teach or suggest an application method for supporting a medical treatment system, the system comprising an input/display device including input means and display means, and a storage, the method including "*determining whether an identifier has been received in the input stroke information*", as recited, for example, in claim 1 (Application at page 18, line 17 to page 19, line 2).

The Examiner alleges that column 5, lines 53-67 of Gourdol teaches the identification of handwriting data as input stroke information and the conversion of that data into character data for output as text on a display (Office Action at page 7, fourth paragraph). However, Gourdol clearly fails to teach or suggest determining whether an identifier has been received in the input stroke information as included in the claimed invention and as described with respect to Weber in Section A. Gourdol simply suggests detecting data pen input and normalizing input so that it might be displayed accurately (Gourdol at Abstract).

Thus, Gourdol fails to make up for the deficiencies of Weber and Montlick regarding the claimed invention as described in Section A. Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection.

C. The Mori Reference

To make up for the deficiencies of the alleged Weber and Montlick combination, the Examiner applies Mori. Mori discloses a method, system, apparatus, and computer program product that provides users of programmed applications with a visual indication of a state relating to the datasets accessed by the application (Mori at Abstract). The Examiner alleges that the combination of Mori and the alleged Weber and Montlick combination teaches the invention of claims 12, 13 and 15 and teaches features of the invention of claim 14.

However, Mori fails, even assuming (arguendo) combination with Weber and Montlick, to teach or suggest an application method for supporting a medical treatment system, the system comprising an input/display device including input means and display means, and a storage, the method including "*determining whether an identifier has been received in the input stroke information*", as recited, for example, in claim 1 (Application at page 18, line 17 to page 19, line 2).

The Examiner alleges that "Mori teaches a method of accessing previously stored information files and when a file has been set to an unchangeable state, providing a visual item indicating the data cannot be displayed" at Figure 4b (Office Action at page 8, third paragraph). However, Mori clearly fails to teach or suggest determining whether an identifier has been received in the input stroke information as included in the claimed invention and as described with respect to Weber in Section A.

Thus, Mori fails to make up for the deficiencies of Weber and Montlick regarding the claimed invention as described in Section A. Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection.

D. The Igarishi Reference

Igarishi discloses an augmented whiteboard interface designed for informal office work (Igarishi at Abstract). The Examiner alleges that Montlick, Weber, and Igarishi would have been combined to teach the invention of claims 18, 22, 23, 27, and 30.

However, Igarishi fails, even assuming (arguendo) combination with Weber and Montlick, to teach or suggest an application method for supporting a medical treatment system, the system comprising an input/display device including input means and display means, and a storage, the method including "*determining whether an identifier has been received in the input stroke information*", as recited, for example, in claim 1 (Application at page 18, line 17 to page 19, line 2).

The Examiner alleges that "Igarishi discloses a method of splitting segments on a pen based input system by providing a vertical line across an input field" at Figure 2 and Section 3.1 (Office Action at page 10, third paragraph). However, Igarishi clearly fails to teach or suggest determining whether an identifier has been received in the input stroke information as included in the claimed invention and as described with respect to Weber in Section A.

Thus, Igarishi fails to make up for the deficiencies of Weber and Montlick regarding the claimed invention as described in Section A. Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection.

E. The Fenster Reference

Fenster discloses a three-dimensional ultrasound imaging system (Fenster at Abstract). The Examiner alleges that Montlick, Weber, and Fenster would have been combined to teach the invention of claims 20 and 21.

However, Fenster fails, even assuming (arguendo) combination with Weber and Montlick, to teach or suggest an application method for supporting a medical treatment system, the system comprising an input/display device including input means and display means, and a storage, the method including "*determining whether an identifier has been received in the input stroke information*", as recited, for example, in claim 1 (Application at page 18, line 17 to page 19, line 2).

The Examiner alleges that Fenster discloses a medical imaging system where images can be manipulated and measured using points defined by the user input device (Office Action at page 12, fourth paragraph). However, Fenster clearly fails to teach or suggest determining whether an identifier has been received in the input stroke information as included in the claimed invention and as described with respect to Weber in Section A.

Thus, Fenster fails to make up for the deficiencies of Weber and Montlick regarding the claimed invention as described in Section A. Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection.

F. The AAPA Reference

The Examiner alleges that Montlick, Weber, and the AAPA would have been combined to teach the invention of claims 17, 19, 26, 28, and 29 and to teach features of the invention of claims 35 and 36.

However, the AAPA fails, even assuming (arguendo) combination with Weber and Montlick, to teach or suggest an application method for supporting a medical treatment system, the system

comprising an input/display device including input means and display means, and a storage, the method including "*determining whether an identifier has been received in the input stroke information*", as recited, for example, in claim 1 (Application at page 18, line 17 to page 19, line 2).

The Examiner alleges that the AAPA discloses a technique being analogous to the drag and drop feature located in the Windows OS (Office Action at page 16, second paragraph). However, the AAPA clearly fails to teach or suggest determining whether an identifier has been received in the input stroke information as included in the claimed invention and as described with respect to Weber in Section A.

Thus, the AAPA fails to make up for the deficiencies of Weber and Montlick regarding the claimed invention as described in Section A. Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection.

G. The Tanaka Reference

Tanaka discloses an information processing apparatus for controlling window positions (Tanaka at Abstract). The Examiner alleges that Montlick, Weber, and Tanaka would have been combined to teach the invention of claim 25.

However, Tanaka fails, even assuming (arguendo) combination with Weber and Montlick, to teach or suggest an application method for supporting a medical treatment system, the system comprising an input/display device including input means and display means, and a storage, the method including "*determining whether an identifier has been received in the input stroke information*", as recited, for example, in claim 1 (Application at page 18, line 17 to page 19, line 2).

The Examiner alleges that Tanaka discloses a gesture based input system for a pen based input system, allowing a new window to open after the execution of a dragging operation of an icon on the screen (Office Action at page 13, fourth paragraph). However, Tanaka clearly fails to teach or

suggest determining whether an identifier has been received in the input stroke information as included in the claimed invention and as described with respect to Weber in Section A.

Thus, the Tanaka fails to make up for the deficiencies of Weber and Montlick regarding the claimed invention as described in Section A. Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection.

H. The Frasca, Jr. Reference

Frasca, Jr. discloses an outpatient care data system (Frasca, Jr. at Abstract). The Examiner alleges that Weber, Montlick, and Frasca, Jr. would have been combined to teach the invention of claims 31-34 and teach features of the invention of claims 35 and 36.

However, Frasca, Jr. fails, even assuming (arguendo) combination with Weber and Montlick, to teach or suggest an application method for supporting a medical treatment system, the system comprising an input/display device including input means and display means, and a storage, the method including "*determining whether an identifier has been received in the input stroke information*", as recited, for example, in claim 1 (Application at page 18, line 17 to page 19, line 2).

The Examiner specifically alleges that Frasca, Jr. teaches providing identifier codes that identify the input operator of a data record (Office Action at page 18, first paragraph). However, Frasca, Jr. clearly fails to teach or suggest determining whether an identifier has been received in the input stroke information as included in the claimed invention and as described with respect to Weber in Section A.

Thus, the Frasca, Jr. fails to make up for the deficiencies of Weber and Montlick regarding the claimed invention as described in Section A. Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection.

III. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1-36, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: May 16 2008

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